



Workforce Services and Employment-Related Law Complaint Logging Instructions

ETA requires that State agencies establish and maintain a logging and reporting system for complaints. Items must be logged in accordance with 20 CFR 658.410, Subpart E, Federal Register. The regulations require that local and State office maintain a central complaint log which lists all complaints received:

1. Name of complainant (if Apparent Violation, this may be left blank)
2. Name of respondent (Employer or State Agency)
3. Date the complaint is filed
4. Whether the complaint is by or on behalf of a Migrant Seasonal Farmworker (MSFW)
5. Whether it concerns:
 - a. Employment-Related Law
 - b. Workforce Services (WS) Regulations
 - c. Apparent Violation
6. The action taken including whether the complaint is resolved
 - a. Record referral to another agency
 - (1) indicate name of agency
 - (2) indicate name of agency individual (if known)

While most of these entries are self-explanatory, some bear explanation.

For the purpose of this log, “complaint pending” means those complaints not yet decided, for the reason specified on the log.

Workforce Service complaint is resolved when:

- Ø The complainant indicates satisfaction with the outcome,
- Ø Final determination is made by the enforcement agency to whom the complaint was referred,
- Ø The complainant chooses not to elevate the complaint to the next level of review,
- Ø Or the complainant or the complainant’s authorized representative fails to respond within the time periods indicated in the Grievance and Complaint Resolution Procedures Guidance to a written request by the appropriate local or State office.

All complaints received must be logged. This includes logging of non-WS related complainants referred elsewhere. Dates should be entered in the **Date Filed, Referred, Pending, Resolved and Appeal to RA columns**, where appropriate. This will provide basic information for completing the quarterly report. The complaint logs must be emailed to the State Monitor Advocate on a quarterly basis for reporting purposes.

KEY
OFCCP - Office of Federal Contract Compliance Programs
OLMS - Office of Labor-Management Standards
OWPC - Office of Workers' Compensation Programs
WHD - The Wage and Hour Division
OSHA - Occupational Safety and Health Administration
Other - Any other agency that complainant is referred to
Enforcement Decision - Resolved or Unresolved
Enforcement Agency - Agency that resolved the issue
Fail to Elevate - Complaint resolved at the local level
Fail to Respond - Resolution reached with no response from complainant
Appeal to NRA - Appeal to National Regional Advocate